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RUEHIT/AMCONSUL ISTANBUL PRIORITY 2374  
RUCNDT/USMISSION USUN NEW YORK PRIORITY 0846  
RHMFISS/CDR USCENTCOM MACDILL AFB FL PRIORITY  
RUEHVEN/USMISSION USOSCE PRIORITY 2752  
RUEAIIA/CIA WASHDC PRIORITY  
RHEFDIA/DIA WASHDC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEKJCS/SECDEF WASHDC PRIORITY  
RUEKJCS/JOINT STAFF WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 ASHGABAT 001026

SENSITIVE  
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STATE FOR SCA/CEN; DRL

E.O. 12958: DECL: 08/06/2018  
TAGS: [PGOV](#) [KDEM](#) [TX](#)  
SUBJECT: TURKMENISTAN: CONSTITUTION REVISION PROCESS  
ENTERS FINAL PHASE

REF: ASHGABAT 0963

Classified By: CHARGE SYLVIA REED CURRAN FOR REASONS 1.4 (B) AND (D).

¶1. (SBU) SUMMARY: The government's review of proposed additions or changes to the constitutional draft is nearly complete, and it appears that almost all stakeholders have had a chance to make their suggestions. The Constitutional Commission will receive the final proposed draft before the end of August, and the final phase of the new constitution's development will start. Some key articles might be expanded, such as those relating to private education, a market economy, human rights, and private ownership, but the public will not see additions or changes to the draft until a final Constitution emerges in September. END SUMMARY.

¶3. (SBU) According to Law Professor Murad Haitov, public commentary on the draft constitution has consisted of three elements:

--the commentary of experts and relevant officials that has appeared in Neytralniy Turkmenistan since the draft's publication on July 22, as well as the commentary of those government officials, local legal experts and representatives of public organizations who participated in two state-sponsored round tables on July 30 and August 1;

--commentary and suggestions that private citizens sent to the parliamentary committees; and

--comments and suggestions forwarded to parliament by the constitutional working groups that were established in every ministry, agency, and local government entity.

¶4. (SBU) Haitov said he was aware of some 100 major proposals that were sent by various ministries. The most significant proposals focused on court procedures, local government operations, the operations of local self-government entities, and proposals related to strengthening the human rights elements of Section II, on basic rights of citizens. Articles 9 and 10, on rights of ownership and state support for a market economy were also the subjects of numerous proposals.

¶5. (SBU) Haitov suggested that some revisions were the result of comments President Berdimuhamedov made during the July 21 Constitutional Commission meeting, during which he indicated that particular attention should be given to portions of the draft text relating to the development of a market economy (article 10), private education (article 39), the role and subordination of provincial governors (article 82), and the independence of judges (article 104).

¶6. (SBU) Haitov's working group, which has been providing the parliament with collective expert opinions on a range of legislative topics as well as its assessment of the constitutional draft, will soon review and assess the proposals the parliament has received since July 22. His group is expecting to finish consolidating its comments and advice and to send on the modified draft to the Constitutional Commission for approval on or about August 20.

Once the commission has blessed it, the draft will then be made ready for the mid-September Halk Maslahaty (People's Council) vote. The revised draft will not likely be published again between now and its adoption by the Halk Maslahaty. The Halk Maslahaty is not expected to discuss the merits of the draft, since its members have already been participants in the review and revision process.

¶7. (C) COMMENT: All elements of the government appear to be keeping to the tight schedule the president mandated for completion of the constitutional revision process. While there appears to be domestic input into the draft, there have

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been, to date, no comments by international experts. To remedy that, UNDP came up with the idea of holding a roundtable with local embassies and international organizations (now scheduled for August 11) to get their views on the draft constitution. The plan then is for the UN Resident Representative to meet with Institute of Democracy and Human Rights Director Shirin Akhmedova, who is also a member of the Constitutional Commission, to "informally" share those views. Having the UN share views on the draft constitution with one of the most forward-leaning Turkmen officials is probably the easiest way to approach the Turkmen on this. END COMMENT.

CURRAN